

COMMONWEALTH OF MASSACHUSETTS

BROOKLINE RETIREMENT BOARD

REQUEST FOR PROPOSALS TO PROVIDE LEGAL SERVICES

Submission Deadline Date: November 30, 2018

The Brookline Retirement Board (hereinafter, “the Board”) is seeking an attorney or law firm with experience representing Massachusetts public retirement boards in matters pertaining to the Massachusetts public employee retirement law, General Laws Chapter 32 and 840 Code of Massachusetts Regulations, as well as ancillary areas of law pertinent to public agencies and public employees, including the Massachusetts Public Records Law, Ethics Law, and the Massachusetts Open Meeting Law. This request for proposals is subject to and will be conducted in compliance with G.L. c. 32, § 23B.

The Board oversees the Town of Brookline Retirement System (hereinafter, “the System”), a Massachusetts governmental unit which administers the public pensions of over 1500 members and beneficiaries of the governmental units of the Town of Brookline and the Brookline Housing Authority. The Board manages approximately \$309 million in System assets and employs a staff of three in offices located at 11 Pierce Street, Brookline, Massachusetts 02445.

To be considered for selection, the attorney or law entity should possess knowledge and proficiency with General Laws Chapter 32 and 840 CMR, and with laws generally pertaining to public agencies and public employment. Attorneys should have experience with appeals filed with the Contributory Retirement Appeal Board and in all Massachusetts Courts.

Proposals may contain any information deemed responsive and relevant, and should address actual or potential conflicts of interest with the Brookline Retirement Board, its staff, and the System’s members or member units.

RESPONSES MUST INCLUDE THE FOLLOWING INFORMATION:

- I. A detailed description of the attorney or law firm’s relevant and related legal experience, including a list of Massachusetts retirement board clients, the time period during which legal services were rendered. Clients may be contacted by the Board for references.**
- II. The name, background and qualifications of the attorney(s) who will be primarily responsible for providing legal services to the Board, including details of any disciplinary findings, judgments, criminal convictions, investigations or litigation pending against the attorney or law firm.**
- III. A description of hourly fees charged for such matters as appearances, telephone calls, file review, legal research, copying, etc., including a description of expenses for which the attorney or law firm will expect reimbursement, including, but not limited**

to, travel related costs, and a description of the attorney or law firm's billing procedures, i.e., monthly, quarterly, etc.

IV. Certification of professional liability insurance, if any.

V. Pursuant to G.L. c. 32, § 23B(k)(3), an attorney or law firm submitting a proposal to the Board shall certify as follows:

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean a natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

(Signature of individual submitting bid or proposal)

(Name of business)

Criteria to be evaluated by the Board shall include Experience, Qualifications and Fee Structure. Proposals will be rated by the Board as being Highly Advantageous, Advantageous, Not Advantageous, or Unacceptable, and the Board shall consider in its evaluations: (1) the possession and demonstration of the necessary skills and abilities to perform legal services required by General Laws Chapter 32 and 840 CMR; (2) experience dealing with public pension systems and agencies; (3) an acceptable level of client satisfaction; (4) strength, stability, and longevity; and (5) competitive fee structure.

The Board will designate its choice following review and rating of proposals, and will conduct interviews. Upon selection of an attorney or law firm, the Board will negotiate a contract for legal services which cannot exceed a term of seven (7) years.

The Board reserves the right to reject proposals or parts thereof. Each proposal shall be considered in effect for a period of ninety (90) days following the submission date. The Board also reserves the right to waive any irregularities, inconsistencies, and bidding provisions, or to take whatever other action that deemed to be in the best interests of the System's members and beneficiaries, and to request clarification of information from any entity responding and to effect any agreement deemed by the Board to be in the System's best interest with one or more of the entities responding. The Board reserves the right to amend or cancel this RFP at any time. All responses and their contents will become the sole property of the Board upon receipt.

Time for Submission

An original proposal and five copies should be delivered in a sealed package or envelope to the Brookline Retirement System, 11 Pierce Street, Brookline, MA 01702, on or before 4:00 p.m., on November 30, 2018. The proposal should be marked "Legal Services RFP". Responses received after said date and time will not be evaluated. No electronic responses may be submitted in response to this request for proposals.

Time for Acceptance

Proposals will be opened and reviewed by the Board at the next scheduled Board meeting. The Board intends to evaluate responses and to select an attorney or law entity by the last Board Meeting of 2018. The Board shall award a contract for legal services to the most advantageous proposal from a responsible and responsive proposer taking into consideration the evaluated criteria.

Technical questions regarding the submission of responses should be directed to Frank Zecha, via email only, at fzecha@brooklinema.gov.